



**AUSTIN CITY COUNCIL
MINUTES**

**REGULAR MEETING
THURSDAY, DECEMBER 13, 2007**

Invocation: Brandon Washington, Systems Support Technician, CTM

The following represents the actions taken by the Austin City Council in the order they occurred during the meeting. While the minutes are not in sequential order, all agenda items were discussed. The City Council of Austin, Texas, convened in a regular meeting on Thursday, December 13, 2007 in the Council Chambers of City Hall, 301 West Second Street, Austin, Texas.

Mayor Wynn called the Council Meeting to order at 10:21 a.m.

The Mayor asked Council Members to report on upcoming agenda items:

Mayor Pro Tem Dunkerley requested staff bring an ordinance to require a permit for certain construction activities to take place downtown during the night or early in the morning to avoid traffic congestion.

Council Member McCracken announced that the Land Use Transportation Committee will bring an item in February to help the City achieve its 25% affordable housing goal in the Transportation Oriented Districts.

Council Member Kim announced she will be working with the Downtown Austin Alliance to create a pilot program to install traffic signals in the downtown crosswalks that count down the time left to cross the intersection to protect the pedestrians.

Council Member Kim announced she will be working with the Small Business Development office to create a program to help small businesses open up an additional location if they so desire and encourage small businesses to stay in Austin.

Council Member Leffingwell announced he will conduct a meeting in late January with four more meetings to follow to receive citizen input on the online open government initiative to make government more accessible and available.

CONSENT AGENDA

The following items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member McCracken's motion, Council Member Kim's second on a 7-0 vote.

1. Approval of the minutes of the Austin City Council from the regularly scheduled meeting of December 6, 2007.
The minutes from the meeting of December 6, 2007 were approved.

2. Approve a contract with PennWell Corporation, Tulsa, OK, for Austin Energy to serve as Host Utility for the 2010 POWER-GEN Renewable Energy & Fuels Conference and Tradeshow on March 2-4, 2010, in an amount not to exceed \$60,000. Funding is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy.
The motion authorizing a contract with PennWell Corporation was approved.
3. Approve an Ordinance amending Ordinance 20070910-003, the Fiscal Year 2007-2008 Operating Budget of Austin Energy by accepting and appropriating Program Income donated by Clean Cities participants in the amount of \$40,000 for administration of the Central Texas Clean Cities Program for a total program income of \$84,000. Funding is available from Clean Cities participants. Recommended by the Electric Utility Commission.
Ordinance No. 20071213-003 was approved.
4. Approve issuance of a rebate in the amount of \$66,218.25 to Lifetime Fitness Center for the installation of high efficiency air conditioning and lighting equipment, and a reflective roof coating for their location at 7101 South MoPac Expressway in Austin, TX. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy. Recommended by the Resource Management Commission.
The motion authorizing the issuance of a rebate to Lifetime Fitness Center was approved.
5. Approve issuance of a rebate in the amount of \$104,757.10 to Target Super Stores for the installation of high efficiency air conditioning, lighting equipment and controls, and a reflective roof coating at 9500 South IH-35 #G, Austin, TX. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Conservation Rebates and Incentive Budget of Austin Energy. Recommended by the Resource Management Commission.
The motion authorizing the issuance of a rebate to Target Super Stores was approved.
6. Approve an ordinance amending the Fiscal Year 2007-2008 Austin Water Utility Operating Budget Wildlife Conservation Fund of Ordinance No. 20070910-003 to increase the beginning balance by \$727,065 for a total beginning balance of \$4,350,760, increase expenditures for Capital Outlay by \$500,000 for total expenditures of \$3,500,000, and increase the ending balance by \$227,065 for a total ending balance of \$1,200,760; and appropriating \$500,000 to the Balcones Canyonlands Conservation Plan for land acquisition. Funding in the amount of \$500,000 is available in the Fiscal Year 2007-2008 Operating Budget of Balcones Canyonlands Conservation Plan Fund.
Ordinance No. 20071213-006 was approved.
7. Authorize the City Manager to negotiate and execute an agreement with the City of Round Rock, Leander and Cedar Park to share in the costs of evaluating the Brushy Creek Regional Wastewater System. Funding in the amount of \$30,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
The motion authorizing the City Manager to negotiate and execute an agreement with the City of Round Rock, Leander and Cedar Park was approved.

Items 8 through 13 were pulled for discussion.

14. Authorize the City Clerk to negotiate and execute an agreement with Travis County for the City's use of Travis County's voting equipment and for the County Clerk to administer the City's elections. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Office of the City Clerk.
The motion authorizing the City Clerk to negotiate and execute an agreement with Travis County was approved.

15. Approve an ordinance changing the name Mala Suerte Drive to Buena Suerte Drive. The Application fee of \$400 has been received. The processing fee of \$500 has been determined for two street signs located at the corners of Mala Suerte Drive and Twilight Shadow Drive and Mala Suerte Drive and Via Correto Drive.
Ordinance No. 20071213-015 was approved.
16. Adopt a resolution approving the 2008 inductees to the Austin Music Memorial. Recommended by the Austin Music Commission.
Resolution No. 20071213-016 was approved.
17. Authorize execution of a 12-month Economic Development Agreement with ATI-BIOSCIENCE, a division of the Austin Technology Incubator, a project of the University of Texas-Austin, in an amount not to exceed \$125,000, to provide strategic business consulting services to local bio-technology startups to foster economic development and job creation. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department.
The motion authorizing the execution of an economic development agreement with ATI-Bioscience was approved.
18. Authorize execution of a 12-month Economic Development Agreement with ATI-WIRELESS, a division of the Austin Technology Incubator, a project of the University of Texas-Austin, in an amount not to exceed \$200,000, to provide strategic business consulting services to Austin high technology startups to foster economic development and job creation. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department.
The motion authorizing the execution of an economic development agreement with ATI-Wireless was approved.
19. Approve negotiation and execution of a federal representation services contract with BARBARA MCCALL and ASSOCIATES, Washington, D.C., in an amount not to exceed \$75,000. Funding is available in the Fiscal Year 2007-2008 Operating Budgets of the Government Relations Office.
The motion authorizing the negotiation and execution of a federal representation services contract with Barbara McCall and Associates was approved.
20. Approve execution of the third 12-month renewals between the City and eight social service agencies (one agency has two contracts) for a total not-to-exceed amount of \$2,194,071 for Fiscal Year 2007-2008, with three 12-month renewal options, in a total not-to-exceed contract amount of \$8,776,284. Attachment A sets forth the names of the contractors and the funds authorized for each. Funding in the amount of \$1,645,554 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. The term of each contract is for the period of January 1, 2008 through December 31, 2008. Funding for the balance of the contracts and renewal options is contingent on available funding in future budgets
The motion authorizing the execution of the third renewals between the City and eight social service agencies was approved.
21. Approve execution of 12-month contracts between the City and 35 social service agencies at a total not to exceed of \$4,910,886. Funding in the amount of \$3,594,938 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department; Fiscal Year 2007-2008 Approved Certification funds totaling \$117, 639 are included. The term of each contract is for the period of January 1, 2008 through December 31, 2008. Funding for the balance of each contract is contingent on available funding in a future budget.

The motion authorizing the execution of contracts between the City and 35 social service agencies was approved.

22. Approve execution of a 12-month contract between the City and AMERICAN YOUTHWORKS, Austin, TX for January 1-December 31, 2008 to provide workforce development services for a not-to-exceed amount of \$464,248. Funding in the amount of \$201,374 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department; Funding in the amount \$60,000 is available in the Fiscal Year 2007-2008 Operating Budget of the Parks and Recreation Department; Funding in the amount of \$50,000 is available in the Fiscal Year 2007-2008 Capital Improvement Program (CIP) Budget of the Parks and Recreation Department; Funding in the amount of \$60,750 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility; and Funding in the amount of \$25,000 is available in the Fiscal Year 2007-2008 CIP Budget of the Watershed Protection and Development Review Department. The term of the contract is for the period of January 1, 2008 through December 31, 2008. Funding for the balance of this contract is contingent on available funding in future budgets.

The motion authorizing the execution of a contract between the City and American Youthworks was approved.

23. Approve execution of the 12-month contract renewal option between the City and CAPITAL IDEA, Austin, TX, from January 1-December 31, 2008, to provide workforce development services for an amount not to exceed \$1,049,370. Funding in the amount of \$787,028 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. The term of the contract is for the period of January 1, 2008 through December 31, 2008. Funding for the remaining three months of the contract is contingent on available funding in a future budget.

The motion authorizing the execution of the contract renewal option between the City and Capital Idea was approved.

24. Approve execution of a 12-month Contract Amendment No. 5 with the CENTER FOR CHILD PROTECTION, Austin, TX to provide child protection services from January 1-December 31, 2008, adding \$144,104 to the contract amount as allocated by Council for Fiscal Year 2007-2008, for a total not-to-exceed contract amount of \$261,370 and to authorize inclusion of the 3.5 percent increase approved for Fiscal Year 2007-2008, as well as an increase of \$144,104 to the contract amount for the each of the three remaining 12-month extension options, for a total not-to-exceed amount of \$261,370 for each extension option. Funding in the amount of \$196,028 is included in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. The term of the contract is for the period of January 1, 2008 through December 31, 2008. Funding for the balance of this contract is contingent on available funding in future budgets.

The motion authorizing the execution of a contract amendment number 5 with the Center for Child Protection was approved.

25. Approve execution of a 12-month contract with COMMUNITIES IN SCHOOLS-CENTRAL TEXAS, INC., Austin, TX for youth services in an amount not to exceed \$291,754. Funding in the amount of \$218,816 is available in the Fiscal Year 2007-2008 Operating Budget of the Health and Human Services Department. The term of the contract is for the period January 1, 2008 through December 31, 2008. Funding for the balance of this contract is contingent on available funding in a future budget.

The motion authorizing the execution of a contract with Communities In Schools-Central Texas, Inc. was approved.

26. Approve execution of a 12-month amendment to and extension of the Interlocal Agreement between the City and AUSTIN/TRAVIS COUNTY MENTAL HEALTH MENTAL RETARDATION CENTER, Austin, TX for provision of mental health and mental retardation services from January 1-December 31,

2008, in the total not-to-exceed amount \$1,624,310, with one remaining 12-month extension option in the total not-to-exceed amount of \$1,624,310. Funding in the amount of \$1,218,233 is included in the Fiscal Year 2007-2008 Operating Budget for the Health and Human Services Department. The contract period will be January 1, 2008 through December 31, 2008. Funding for the balance of the agreement and the remaining extension option is contingent on available funding in future budgets.

The motion authorizing the execution of an amendment to and extension of the interlocal agreement between the City and Austin/Travis County Mental Health Mental Retardation Center was approved.

27. Approve payment of membership fees to the Austin-San Antonio Corridor Council, in an amount not to exceed \$50,000. Funding is available in the 2007-2008 Operating Budget of the Neighborhood Planning and Zoning Department.
The motion authorizing the payment of membership fees to the Austin-San Antonio Corridor Council was approved.
28. Approve an ordinance adopting the Coshena III and IV Annexation and Development Agreement, concerning annexation and development of the Coshena Tracts (approximately 10 acres in Travis County west of the intersection of IH 35 North and Grand Avenue Parkway), providing for a 10 year delay of annexation. Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
This item was postponed to February 14, 2008.
29. Approve second/third readings of an ordinance to annex the Grand Avenue Parkway annexation area for full purposes (approximately 556 acres in Travis County at the intersection of IH 35 North and Grand Avenue Parkway) and waive zoning application fees for property within the annexed area for a period of one year from the effective date of annexation. Funding necessary to provide general governmental services to this tract is available in the budgets of the departments which will be providing the services.
This item was postponed to February 14, 2008.
30. Approve a resolution authorizing execution of a First Amendment to the 1985 Interlocal Agreement between the City and the City of Bastrop Regarding Planning Issues and the Regulation of Subdivisions in the Extra Territorial Jurisdiction.
Resolution No. 20071213-030 was approved.
31. Approve second/third readings of an ordinance to annex the River Hills Road area for the limited purposes of planning and zoning (Approximately 2 acres in Travis County located east of River Hills Road approximately 400 feet north of the intersection of River Hills Road and Taylor Road). Limited purpose annexation does not have a significant impact on the general fund.
This item was withdrawn.
32. Approve second/third readings of an ordinance approving a regulatory plan for the River Hills Road area, which is being annexed for limited purposes. Limited purpose annexation does not have a significant impact on the general fund.
This item was withdrawn.
33. Approve an ordinance authorizing the acceptance of \$91,500 in grant funds from the Greater Austin Crime Commission; and amending the Fiscal Year 2007-2008 Police Department Operating Special Revenue Fund of Ordinance No. 20070910-003 to appropriate \$91,500 for the Austin Police Department Badge Replacement Program to purchase newly designed badges for Austin Police Department sworn officers. This funding was provided to the Commission by former Austin Mayor Roy Butler. The funding is being granted to the City of Austin from the Greater Austin Crime Commission on behalf of Mayor

Butler to be used exclusively for the purchase of new badges for sworn personnel of the Austin Police Department.

Ordinance No. 20071213-033 was approved.

34. Approve a resolution authorizing the fee simple acquisition of Lot 12, Block N, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 5705 Vine Hill Drive, from Martin and Christine Guajardo for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$62,000 for the land and improvements, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$72,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20071213-034 was approved.
35. Approve a resolution authorizing the fee simple acquisition of Lot 5, Block J, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 6903 Onion Crossing Drive, from The Estate of Robert C. Maldonado and Jesusa J. Maldonado, deceased for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$60,000 for the land and improvements and \$69,900 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$139,900. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20071213-035 was approved.
36. Approve a resolution authorizing the fee simple acquisition of Lot 16, Block K, Yarrabee Bend, Section 3, Amended Plat, a subdivision in Travis County, Texas, located at 7224 Firefly Drive from Deanna Lee Allen for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$112,000 for the land and improvements and \$53,000 owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, and handicap modifications not to exceed \$50,000, for a total not to exceed \$225,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20071213-036 was approved.
37. Approve a resolution authorizing the fee simple acquisition of Lot 9, Block M, Onion Creek Forest, Section 2, Amended Plat, a subdivision in Travis County, Texas, located at 7002 Thatch Lane, from Michael Gregg Pinson and Steven Alfredo Hernandez for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$62,000 for the land and improvements and \$36,400 in owner assisted relocation benefits, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$108,400. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20071213-037 was approved.
38. Approve a resolution authorizing the fee simple acquisition of Lot 19, Block K, Onion Creek Forest, Section 3, Amended Plat, a subdivision in Travis County, Texas, located at 7218 Firefly Drive from Luisa Zapata for the Onion Creek Voluntary Flood Buyout-FEMA-1606-DR Project, in the amount of \$112,000 for the land and improvements and \$53,000 owner assisted relocation benefits, \$15,000 Americans with Disabilities Act eligibility, plus moving related expenses not to exceed \$10,000, for a total not to exceed \$190,000. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department.
Resolution No. 20071213-038 was approved.
39. Approve a resolution authorizing the fee simple acquisition of approximately 44.92 acres located just north of Zimmerman Lane on the west side of Bull Creek from (i) Robert H. Tibaut Bowman, individually and as Trustee of the Robert H. Tibaut Bowman Children's Trusts, (ii) Powers Lewis

Bowman, individually and as Trustee of the Powers Lewis Bowman Children's Trusts, (iii) Molly Bowman Stephens, Individually and as Trustee of the Molly Bowman Stephens Children's Trusts, (iv) VGWW Land No. 5, L.L.C, (v) DWDTHD land No. 5, L.L.C, and (vi) DWDTHD land No. 1, L.L. C, (vii) VGWW Land No. 1 L.L.C, in an amount not to exceed \$2,919,800. Funding is available in the Fiscal Year 2007-2008 Operating Budget of the Balcones Canyonlands Conservation Plan (BCCP), Austin Water Utility.

Resolution No. 20071213-039 was approved.

40. Approve a resolution authorizing the sale of a Raw Water Intake Easement and Temporary Construction Easement to the Lower Colorado River Authority (LCRA). The water intake easement is a 0.116-acre tract of land in Lake Austin adjacent to the LCRA's existing water intake and waterline. The 18-month Temporary Construction Easement is a 0.417-acre tract of land in Lake Austin adjacent to the proposed Water Intake Easement. The LCRA has agreed to purchase the easements from the City of Austin for the total appraised value of \$2,300.

Resolution No. 20071213-040 was approved.

41. Authorize execution of a construction contract with CASH CONSTRUCTION COMPANY, LTD., Pflugerville, TX, for West Bouldin Creek Phase B in the amount of \$2,375,547.70 plus an \$118,777.30 contingency, for a total contract amount not to exceed \$2,494,325. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Lowest bid of 3 bids received. This contract will be awarded in compliance with Chapter 2-9A of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program) by meeting the goals with 10.19 % MBE and 3.01% WBE subcontractor participation. Presented to the Water and Wastewater Commission.

The motion authorizing the execution of a construction contract with Cash Construction Company, Ltd. was approved.

42. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of Colony Loop to the list of streets having a maximum speed limit of 20 miles per hour during certain times for students attending Overton Elementary School; and provide for emergency passage. Funding in the amount of \$400 for the installation of signs available in the 2007-2008 Child Safety Fund of the Public Works Department.

Ordinance No. 20071213-042 was approved.

43. Approve an ordinance to amend Section 12-4-64(D) of the City Code to add a portion of South Pleasant Valley Road to the list of streets having a maximum speed limit of 20 miles per hour during certain times for students attending Perez Elementary School; and provide for emergency passage. Funding in the amount of \$400 for the installation of signs available in the 2007-2008 Child Safety Fund of the Public Works Department.

Ordinance No. 20071213-043 was approved.

44. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of Salina Street to the list of streets having a maximum speed limit of 20 miles per hour during certain times for students attending Kealing Middle School; and provide for emergency passage. Funding in the amount of \$400 for the installation of signs is available in the Fiscal Year 2007-2008 Child Safety Fund of the Public Works Department.

Ordinance No. 20071213-044 was approved.

45. Approve an ordinance amending Section 12-4-64(D) of the City Code to add a portion of West 34th Street to the list of streets having a maximum speed of 25 miles per hour. Funding in the amount of \$400 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Works Department for the installation of necessary signs.

Ordinance No. 20071213-045 was approved.

46. Authorize execution of a 24-month interlocal agreement with the THE UNIVERSITY OF TEXAS, Austin, TX, on behalf of Clean Energy Incubator, a program of the Austin Technology Incubator for mutual assistance in the clean energy field in an amount not to exceed \$415,000 in the first year, and an amount not to exceed \$415,000 in the second year, for a total amount not to exceed \$830,000. Funding in the amount of \$415,000 is available in the Fiscal Year 2007-2008 Operating Budget of Austin Energy. Funding for the second year is contingent upon available funding in future budgets. Interlocal Agreement This contract will be awarded in compliance with Chapter 2-9C of the City Code (Minority -Owned and Women-Owned Business Enterprise Procurement Program).). This contract is an Interlocal Agreement; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation. No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the execution of an interlocal agreement with the The University of Texas was approved.
47. Authorize award, negotiation, and execution of Amendment No. 6 to the requirements service contract with ALLIANCE DATA SYSTEMS, Dallas, TX, for a 24-month extension of maintenance and support services for the utility customer information system in an estimated amount not to exceed \$15,500,000, for a revised total estimated contract amount not to exceed \$82,934,442. Funding is contingent upon available funding in future budgets. Contract Amendment. This purchase will be awarded in compliance with Chapter 2-9C of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this solicitation.
The motion authorizing the award, negotiation and execution of amendment number 6 to the requirements service contract with Alliance Data Systems was approved.
48. Authorize award and execution of a 24-month requirements supply agreement with HILL COUNTRY ELECTRIC SUPPLY, Austin, TX to provide electrical repair parts for Square D manufactured equipment for the Austin Water Utility, in an estimated amount not to exceed \$150,000, with two 12-month extension options in an estimated amount not to exceed \$75,000 per extension option, for a total estimated contract amount not to exceed \$300,000. Funding in the amount of \$62,500 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Water Utility. Funding for the remaining 14 months of the original contract period and extension options is contingent upon available funding in future budgets. Lowest bid meeting specifications of two bids received. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). No subcontracting opportunities were identified; therefore, no goals were established for this procurement. Recommended by the Water and Wastewater Commission.
The motion authorizing the award and execution of a requirements supply agreement with Hill Country Electric Supply was approved.
49. Authorize award and execution of a contract through the HOUSTON-GALVESTON AREA COUNCIL OF GOVERNMENTS (H-GAC) with CALDWELL COUNTRY CHEVROLET, Caldwell, TX, for the purchase of 51 light duty vehicles in an amount not to exceed \$1,476,899. Funding in the amount of \$368,122 is available in the Fiscal Year 2007-2008 Operating Budget of the Financial and Administrative Services Department Vehicle Acquisition Fund. Funding in the amount of \$165,642 is available in the Fiscal Year 2007-2008 Operating Budget of the Aviation Department. Funding in the amount of \$35,191 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Safety & Emergency Management Department. Funding in the amount of \$580,374 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Funding in the amount of \$28,982 is available in the Fiscal Year 2007-2008 Capital Budget of the Public Works Department, Transportation Division.

Funding in the amount of \$25,019 is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department. Funding in the amount of \$273,569 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation. Austin Water Utility-related vehicle purchases are recommended by the Water and Wastewater Commission.

The motion authorizing the award and execution of a contract through the Houston-Galveston Area Council of Governments (H-GAC) with Caldwell Country Chevrolet was approved.

50. Authorize award and execution of two contracts through the TEXAS LOCAL GOVERNMENT PURCHASING COOPERATIVE (BUYBOARD) with: PHILPOTT MOTORS, LTD, Nederland, TX, for the purchase of 78 light duty vehicles in an amount not to exceed \$1,835,318.48; and PLANET DODGE, Humble, TX, for the purchase of 46 light duty vehicles in an amount not to exceed \$883,010. Funding in the amount of \$1,044,138.93 is available in the Fiscal Year 2007-2008 Vehicle Acquisition Fund. Funding in the amount of \$67,893.88 is available in the Fiscal Year 2007-2008 Operating Budget of the Aviation Department. Funding in the amount of \$21,987.50 is available in the Fiscal Year 2007-2008 Operating Budget of the Austin Convention Center. Funding in the amount of \$23,954 is available in the Fiscal Year 2007-2008 Operating Budget of the Emergency Medical Services Department. Funding in the amount of \$68,974.11 is available in the Fiscal Year 2007-2008 Operating Budget of the Public Safety & Emergency Management Department. Funding in the amount of \$479,995.20 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Energy Department. Funding in the amount of \$266,028.20 is available in the Fiscal Year 2007-2008 Capital Budget of Public Works Department. Funding in the amount of \$253,557.36 is available in the Fiscal Year 2007-2008 Capital Budget of the Solid Waste Services Department. Funding in the amount of \$130,324.40 is available in the Fiscal Year 2007-2008 Capital Budget of the Watershed Protection and Development Review Department. Funding in the amount of \$361,474.90 is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Cooperative Purchase. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 791 of the Texas Government Code and no goals were established for this solicitation. Austin Water Utility-related vehicle purchases are recommended by the Water and Wastewater Commission.

The motion authorizing the award and execution of two contracts through the Texas Local Government Purchasing Cooperative (Buyboard) with Philpott Motors, Ltd and Planet Dodge was approved.

51. Authorize negotiation and execution of a 36-month requirements service contract with TEXAS INDUSTRIES for the BLIND and HANDICAPPED INDUSTRIES, INC. (TIBH), Austin, TX, for temporary personnel services in an estimated amount not to exceed \$732,678, with three 12-month extension options in an estimated amount not to exceed \$244,226 per extension option, for a total estimated contract amount not to exceed \$1,465,356. Funding in the amount of \$203,522 is available in the Fiscal Year 2007-2008 Operating Budget of various departments. Funding for the remaining 26 months of the original contract period and extension options is contingent upon available funding in future budgets. Cooperative Purchasing. This contract will be awarded in compliance with Chapter 2-9D of the City Code (Minority-Owned and Women-Owned Business Enterprise Procurement Program). This contract is a Cooperative Purchase; therefore, it is exempted under Chapter 122, Title 8, Human Resources Code, of the Texas Government Code and no goals were established for this solicitation.

The motion authorizing the negotiation and execution of a requirements service contract with Texas Industries for the Blind and Handicapped Industries, Inc. (TIBH) was approved.

52. Approve an ordinance amending the Fiscal Year 2007-2008 Fee Schedule of Ordinance No. 20070910-008 to add fees relating to street events; and amending the Fiscal Year 2007-2008 Operating Budget of Ordinance No. 20070910-003 to increase General Fund revenue appropriations by \$350,000, increase appropriated expenditures in the Watershed Protection and Development Review Department by \$350,000, and add 13.0 new full time equivalent positions to the Watershed Protection and Development Review Department. This action is a net fiscal impact to the General Fund of zero. Funding in the amount of \$350,000 is available from additional General Fund Revenue and \$385,106 is available through expense refunds from other city departments collected through the newly established fees for a total of \$735,106.

Ordinance No. 20071213-052 was approved.

53. Approve a resolution authorizing execution of a license agreement with the Texas Department of Transportation to temporarily close state roadways for special events that utilize both city streets and state roadways in 2008 and authorizing the director to extend the agreement for up to five years with mutual agreement.

Resolution No. 20071213-053 was approved.

54. Approve appointments to citizen board and commissions, to Council subcommittees and other intergovernmental bodies and removal and replacement of members.

The following appointments were made:

Board

Nominated By:

Animal Advisory Commission

Carol Adams

Mayor Pro Tem Dunkerley

Austin Music Commission

Paul Oveisi

Council Member Leffingwell

Construction Advisory Committee

Eddie Hurst, Jr.

Martin Prisant

Council Member McCracken

Council Member Kim

Housing Authority of the City of Austin

Carl Richie, Jr.

Mayor Wynn

Solid Waste Advisory Commission

J.D. Porter

Council Member Kim

Appointments to Intergovernmental Bodies

Resolution No. 20071213-054 was approved removing Council Member Martinez and appointing Council Member Kim to the City of Austin/Austin Independent School District Board of Trustees Joint Subcommittee.

55. Approve a resolution directing the City Manager to conduct a needs assessment relating to mental health needs of the Austin Police Department and to consider adding an additional staff psychologist. (Council Member Jennifer Kim Council Member Lee Leffingwell)

Resolution No. 20071213-055 was approved.

56. Approve a resolution authorizing an update to the Austin Tomorrow Comprehensive Plan, directing the City Manager to prepare the update, and directing the City Manager and the Planning Commission to study alternative approaches to long range planning for the greater Austin region. (Council Member Mike Martinez Mayor Will Wynn Council Member Lee Leffingwell)
Resolution No. 20071213-056 was approved. Council Member Kim directed staff to include the following in the Austin Tomorrow Comprehensive Plan update: specific objectives and methods for providing affordable housing; the municipal initiatives developed in recent years that provide housing opportunities to those of all income levels; other program and policy initiatives such as the Affordability Goals of Transit Oriented Developments, Density Bonuses and development regulation incentives, the S.M.A.R.T. housing program, and the Housing Trust Fund; and the need for family specific housing developments that focus on the amenities and services necessary for families with children.

Item 57 was pulled for discussion.

58. Approve a resolution creating an African American Cultural Arts District that will formally recognize areas where there is a concentration of existing African American landmarks including businesses, churches, George Washington Carver Museum and Cultural Center and Huston-Tillotson University. Boundaries recommended by the African American Resource Advisory Commission. (Council Member Sheryl Cole Council Member Mike Martinez and Council Member Jennifer Kim)
Resolution No. 20071213-058 was approved.
59. Approve a resolution directing the City Manager to develop and implement a program that will provide Child Inc. the right of first refusal to purchase each passenger fleet vehicle the City would otherwise offer for sale by public auction. (Council Member Sheryl Cole Council Member Mike Martinez)
Resolution No. 20071213-059 was approved.
60. Approve a resolution reallocating \$4,950,000 from Austin Children's Museum improvements in Block 21 development to hardscape and streetscape improvements in the downtown area. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley Council Member Sheryl Cole)
Resolution No. 20071213-060 was approved with the following amendment. The amendment from Council Member Cole was to have the last paragraph of the resolution read "That the City Council directs that this funding shall be used in an effort to leverage additional public and private funds for construction and enhancement activities related to trail and pedestrian facilities at the Waller Creek Tunnel Project, the Shoal Creek Trail and the Riverside Boardwalk Project, and that these funds shall be dedicated in the following amounts: a) Waller Creek Tunnel Project - \$1,237,500; b) Shoal Creek Trail - \$1,237,500; and c) Riverside Boardwalk Project - \$2,475,000."
61. Approve a resolution directing the City Manager to initiate a code amendment establishing a Critical Water Quality Zone along and parallel to the shoreline of the Colorado River downstream of Town Lake. (Council Member Brewster McCracken Council Member Lee Leffingwell Council Member Sheryl Cole)
Resolution No. 20071213-061 was approved.
62. Approve a resolution adopting the Density Bonus Task Force recommendations, directing the City Manager to begin development of an interim density bonus program, and directing the City Manager to provide the recommendations to ROMA Design Group for incorporation into Phase II of the downtown plan. (Council Member Lee Leffingwell Council Member Jennifer Kim Mayor Pro Tem Betty Dunkerley)
Resolution No. 20071213-062 was approved.

63. Approve a resolution directing the City Manager to create an Austin Parking Enterprise to finance and own structured parking and to fund investments in trails and transit infrastructure. (Council Member Brewster McCracken Council Member Sheryl Cole)
This item was postponed to January 10, 2008.
64. Approve a resolution establishing a task force to make recommendations for development of an ordinance relating to energy efficiency upgrades and retrofits for existing homes and buildings, and directing the City Manager to bring forward to Council such an ordinance. (Mayor Will Wynn Council Member Lee Leffingwell Council Member Mike Martinez)
Resolution No. 20071213-064 was approved.
65. Approve a resolution relating to the redevelopment of city owned property located in an area to be designated as the Seaholm Development District, an area of land generally located on the western edge of downtown Austin, by beginning the process of rezoning the Green Water Treatment Plant site and the Energy Control Center site to CBD-CURE while complying with any limitations that the Waterfront Overlay or the Capitol View Corridors may impose on these sites, and eliminating any floor-to-area ratio restrictions (FAR) on these sites. (Mayor Will Wynn Mayor Pro Tem Betty Dunkerley Council Member Brewster McCracken)
Resolution No. 20071213-065 was approved.
66. Set a public hearing to consider the use of approximately 24,260 square feet (0.56 acre) for a wastewater line, approximately 150,900 square feet (3.46 acre) for a temporary work space and approximately 1,500 square feet (0.03 acre) for a temporary staging and storage area site to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Govalle 5 Gaston/Bull Creek/West 25th Street Wastewater Improvement Project through dedicated parkland known as the Shoal Creek Greenbelt located along N. Lamar Blvd between 24th Street and 29th Street, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board. (Suggested date and time: January 10, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set for January 10, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
67. Set a public hearing to consider the use of approximately 13,100 SF (0.3 acre) for a wastewater line and approximately 6650 SF (0.152 acre) for a temporary work space to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Govalle I - South 2nd Street Wastewater Improvement Project through dedicated parkland known as the Nicholas Dawson Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction, as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board. (Suggested date and time: January 10, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set for January 10, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
68. Set a public hearing to consider the use of approximately 0.460 acre for a temporary staging and storage area to use for staging purposes for construction of a portion of the Govalle 1 - South 2nd Street Reroute Phase I Wastewater Improvement Project through dedicated parkland known as the Mary Dawson Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board. (Suggested date and time: January 10, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).

The public hearing was set for January 10, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.

69. Set a public hearing to consider the use of approximately 0.38 acre for a wastewater line, approximately 0.39 acre for a temporary work space and approximately 0.13 acre for a temporary staging and storage area site to construct, use, maintain, repair and replace a wastewater line. This construction is for a portion of the Waller/Pedernales Area Wastewater Improvement Project through dedicated parkland known as the Metz Park, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board. (Suggested date and time: January 10, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set for January 10, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
70. Set a public hearing to consider the use of approximately 0.162 acre for a wastewater line, 0.446 acre temporary work space, 1.70 acre access and 1.70 acre temporary staging and storage area to construct, use, maintain, repair, and replace a wastewater line for construction of a portion of the Group 2 Inverted Siphons Wastewater Improvement Project through dedicated parkland known as the Solo Star Tract as part of the Greenway & Destination Parkland Project located along Little Walnut Creek, in accordance with Sec. 26.001 et seq. of the Texas Parks and Wildlife Code. All costs associated with construction as well as any parkland restoration will be paid by requester. Recommended by the Parks and Recreation Board. (Suggested date and time: January 10, 2008 at 6:00 p.m., Austin City Hall, 301 W. Second Street, Austin, TX).
The public hearing was set for January 10, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
71. Set a public hearing to consider an ordinance amending Section 25-1-211 of the City Code to authorize the waiver of application fees for a zoning variance from the Board of Adjustment if at least eighty percent of the property owners located within 300 feet of the subject property support the variance. Recommended by the Planning Commission. (Suggested date and time: January 10, 2008 at 6 p.m., Austin City Hall, 301 W. Second Street, Austin, TX.)
The public hearing was set for January 10, 2008 at 6:00 p.m., Austin City Hall, at 301 W. Second Street, Austin, Texas.
128. Approve a resolution directing the City Manager to negotiate and execute a contract accepting a gift from Stuart Kensinger of the "Giant Saxophone" artwork by artist Bob Wade contingent upon the Pecan Street Owner's Association transporting, refurbishing and erecting the art at a location mutually agreed upon between the City Manager and the Pecan Street Owner's Association near E. 6th and Waller Creek. Recommended by the Arts Commission. (Council Member Mike Martinez Council Member Sheryl Cole and Mayor Will Wynn)
Resolution No. 20071213-128 was approved.

Item 72 was a briefing item set for 10:30 a.m.

Items 73 through 79 were Executive Session items.

Items 80 and 81 were action on Executive Session items.

Item 82 was a briefing item set for 2:00 p.m.

Items 83 through 123 were zoning items set for 4:00 p.m.

Items 124 through 127 were public hearing items set for 6:00 p.m.

Item 128 was an addendum item from Council.

DISCUSSION ITEM

57. Approve a resolution directing the City Manager to conduct a comprehensive public participation process for energy resource planning at Austin Energy to help meet the goals of the Austin Climate Protection Plan. (Mayor Will Wynn Council Member Lee Leffingwell Council Member Brewster McCracken) Resolution No. 20071213-057 was approved on Council Member Martinez' motion, Council Member Kim's second on a 6-0 vote. Mayor Pro Tem Dunkerley was off the dais.

BRIEFING

72. Presentation on the review of the practice and procedures for applying the Manual on Uniform Traffic Control Devices (MUTCD) Warrants and Peer City analysis
The presentation was made by Joe Ramos, Assistant Director for Public Works Department; and Dr. Randy Machemehl, Director for Center for Transportation Research, The University of Texas.

Mayor Wynn recessed the Council Meeting at 11:55 a.m.

Mayor Wynn called the Council Meeting back to order at 12:05 p.m.

CITIZEN COMMUNICATION: GENERAL

Jan Dawes - Nuclear Energy

Jennifer Gale - When ever you are in Austin you will be home for Christmas in our Winter Wonderland

Paul Robbins - City Issues

Jimmy Castro - Organ Donation

Don A. Williamson - Amigos De Losninos. He was not present when his name was called.

G. Pena - (1) City Issues (2) Improve Relations between the Community and the Police Department, (3) Advocate for Military Veterans need for Housing, Healthcare, Jobs, etc.

David Richardson, Frank Bomar, and Mickey Bentley spoke because of the absence of Karen Hadden – Oak Hill Planning Contact Team-planning process.

Karen Hadden - Austin should steer away from nuclear power and continue leading the nation through efficiency and green building. She was not present when her name was called.

John Smith - The Nuclear Power Plant. He was not present when his name was called.

Matthew Johnson - Nuclear Energy

Stephanie Cunningham - Please make changes on FM 1627 - The S Curve. She was not present when her name was called.

Mayor Wynn recessed the Council Meeting to go into Executive Session at 12:40 p.m.

EXECUTIVE SESSION

The City Council went into Executive Session, pursuant to Chapter 551 of the Texas Government Code, to receive advice from Legal Counsel, to discuss matters of land acquisition, litigation, and personnel matters as specifically listed on this agenda and to receive advice from Legal Counsel regarding any other item on this agenda.

The Mayor announced that Council would discuss items number 8 through 13 on the regular agenda during Executive Session.

- 73. Discuss personnel matters related to the search for a new City Manager (Personnel Matters - Section 551.074).
This item was withdrawn.
- 74. Discuss legal issues related to the search for a new City Manager. (Private Consultations with Attorney - Section 551.071).
This item was withdrawn.

Item 75 was discussed later in Executive Session.

- 76. Discuss legal issues related to arbitration of annexation issues under Texas Local Government Code Chapter 43, including arbitration of the annexation service plan for the Peninsula Annexation area (approximately 432 acres located west of Lake Austin, north of Bee Creek, and south of the intersection of Westlake Drive and Trailview Mesa).(Private Consultation with Attorney - Section 551.071).
This item was withdrawn.
- 77. Discuss legal issues relating to the Seaholm Power Plant building and property on West Cesar Chavez Street (Private Consultation with Attorney - Section 551.071).
This item was withdrawn.
- 78. Discuss purchase and value, including non-monetary attributes, of property in western Travis County to be used or purchased as sites for Water Treatment Plant No. 4. (Real Property - Section 551.072)
- 79. Discuss legal issues regarding possible sites for Water Treatment Plant No 4. (Private Consultation with Attorney - Section 551.071)

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 3:51 p.m.

Mayor Wynn recessed the Council Meeting at 3:51 p.m. to go into a Special Called Meeting of the City Council.

SPECIAL CALLED MEETING

See separate minutes.

Mayor Wynn called the Council Meeting back to order at 5:11p.m.

ACTION ON EXECUTIVE SESSION

81. Approve a resolution authorizing the City Manager to negotiate and execute all documents necessary to purchase property in western Travis County as a site for Water Treatment Plant No. 4 using September 1984 Proposition 4 Bond Funds.
- Resolution No. 20071213-081 was approved with the following friendly amendment on Council Member Leffingwell's motion, Council Member Martinez' second on a 7-0 vote. The friendly amendment from Council Member Leffingwell was for the City Manager to make a full presentation to the Environmental Board and the Water and Wastewater Commission. The Resolution should read "Be it resolved by the City Council of the City of Austin: Council authorizes the City Manager to negotiate and execute all documents necessary to purchase approximately 95 acres located at the corner of RM 620 and Bullick Hollow for a potential site for Water Treatment Plant No. 4 using September 1984 Proposition 4 Bond Funds. Be it further resolved: Council authorizes the City Manager to continue negotiations for purchase of the backup site for Water Treatment Plant No. 4 using September 1984 Proposition 4 Bond Funds."

DISCUSSION ITEMS CONTINUED

8. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2530, with BOYCE LANE, L.P., providing terms and conditions for construction of 24-inch water main and appurtenances to provide water service to the Bellingham Meadows Subdivision located along East Parmer Lane at Boyce Lane and Farmhaven Road with City cost reimbursement in an amount not to exceed \$2,060,700, for actual construction costs, and waiving the requirements of Section 25-9-61 and Section 25-9-63 of the City Code relating to the amount of cost reimbursement for eligible projects. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
- This item was postponed to January 10, 2008 on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member McCracken was off the dais.
9. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2531, with BOYCE LANE, L.P., providing terms and conditions for construction of an 15 and 18-inch gravity wastewater main and appurtenances to provide wastewater service to the Bellingham Meadows Subdivision located along East Parmer Lane at Boyce Lane and Farmhaven Road with City cost reimbursement in an amount not to exceed \$1,276,413, for actual construction costs; waiving the requirements of Section 25-9-61 and Section 25-9-63 of the City Code relating to the amount of cost reimbursement for eligible projects, and waiving the requirements of Section 25-9-62 of the City Code relating to amount of cost participation. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
- This item was postponed to January 10, 2008 on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member McCracken was off the dais.
10. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2501, with WANDERING CREEK INVESTMENTS, L.P. providing terms and conditions for construction of 24 and 36-inch water mains and appurtenances to provide water service to the Wandering Creek Subdivision located south and west of Elroy Road and east of McAngus Road with City cost reimbursement in an amount not to exceed \$3,929,265; waiving the requirements of Section 25-9-61 and Section 25-9-63 of the City Code relating to the amount of cost reimbursement for eligible projects. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
- This item was postponed to January 10, 2008 on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member McCracken was off the dais.

11. Approve an ordinance authorizing negotiation and execution of a cost reimbursement agreement, related to Service Extension Request No. 2502, with WANDERING CREEK INVESTMENTS, L.P. providing terms and conditions for construction of a 36-inch gravity wastewater main and appurtenances to provide wastewater service to the Wandering Creek Subdivision located south and west of Elroy Road and east of McAngus Road with City cost reimbursement in an amount not to exceed \$6,691,275; waiving the requirements of Section 25-9-61 and Section 25-9-63 of the City Code relating to the amount of cost reimbursement for eligible projects, and waiving the requirements of Section 25-9-67 of the City Code relating to cost reimbursement payments. Funding is available in the Fiscal Year 2007-2008 Capital Budget of the Austin Water Utility. Recommended by the Water and Wastewater Commission.
This item was postponed to January 10, 2008 on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member McCracken was off the dais.

12. Approve Service Extension Request No. 2644 for water service not to exceed a peak hour flow of 88 gallons per minute for DACK INTERESTS, developer of a 40 lot single-family home development located within the Drinking Water Protection Zone in the City's extraterritorial jurisdiction at Circle Drive and Rawhide Trail. There is no unanticipated fiscal impact. Recommended by the Environmental Board. Recommended by the Water and Wastewater Commission.
This item was postponed to January 10, 2008 on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member McCracken was off the dais.

13. Approve Service Extension Request No. 2692 submitted by JAN GRAHAM for wastewater service not to exceed a peak wet weather flow of seven gallons per minute (gpm) for two proposed single-family homes located within the Drinking Water Protection Zone in the City's extraterritorial jurisdiction at 4170 Westlake Drive. There is no unanticipated fiscal impact. Recommended by the Environmental Board and the Water and Wastewater Commission.
This item was postponed to January 10, 2008 on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member McCracken was off the dais.

BRIEFING

82. Briefing by John Steiner regarding the City's Integrity Office
The presentation was made by John Steiner, City Integrity Officer.

Mayor Wynn recessed the Council Meeting for live music and proclamation and to go into Executive Session at 5:41 p.m.

EXECUTIVE SESSION CONTINUED

75. Discuss the acquisition of real property for Open Space Project, to be funded by November 2006 bonds (Real Property - Section 551.072).

LIVE MUSIC

No Show Ponies

PROCLAMATIONS

Distinguished Service Award – Larry Eblen, National Weather Service – to be presented by Mayor Will Wynn and to be accepted by the honoree

Distinguished Service Award – George Michael Lyday – to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by the honoree

Distinguished Service Award – APD Assistant Chief Cathy Ellison – to be presented by Mayor Will Wynn and City Manager Toby Hammett Futrell and to be accepted by the honoree

Proclamation – Bangladesh Victory Day – to be presented by Council Member Jennifer Kim and to be accepted by Marshall Hussain

Executive Session ended and Mayor Wynn called the Council Meeting back to order at 6:30 p.m.

ACTION ON EXECUTIVE SESSION CONTINUED

80. Approve a resolution authorizing the City Manager to negotiate and execute all documents necessary to acquire interests in real property in the Edwards Aquifer Recharge Zone for open space purposes to be funded with 2006 bond funds.

Resolution No. 20071213-080 was approved on Council Member Leffingwell’s motion, Mayor Pro Tem Dunkerley’s second on a 6-0 vote. Council Member Martinez was off the dais.

PUBLIC HEARING

124. Conduct a public hearing and consider an ordinance extending the expiration of Ordinance Nos. 020627-115 and 030731-55 from December 31, 2007 to June 30, 2009. The ordinances establish an administrative process for variances from certain land development code provisions for wastewater collection system construction projects needed to eliminate sanitary sewer overflows as part of the Austin Clean Water Program (ACWP). There is no anticipated fiscal impact. Recommended by the Environmental Board and the Water and Wastewater Commission. To be reviewed by the Planning Commission on December 11, 2007.

The public hearing was closed and Ordinance No. 20071213-124 was approved on Mayor Pro Tem Dunkerley’s motion, Council Member Martinez’ second on a 7-0 vote.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The consent items were approved on Council Member Leffingwell’s motion, Council Member Martinez’ second on a 6-0 vote. Council Member McCracken was off the dais.

83. C14-04-0030 - Time Insurance 1 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1405-1415 East Riverside Drive (Town Lake Watershed) from limited office (LO) district zoning and family residence (SF-3) district zoning to community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning with conditions. First Reading approved on January 11, 2007. Vote: 7-0. Second Reading approved on December 6, 2007. Vote: 7-0. Applicant: Schuler Family Trust 1998 (John Schuler). Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.

This item was postponed to January 10, 2008 at the staff’s request.

84. C14-06-0117 - Time Insurance 2 - Approve third reading of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1317 East Riverside Drive and 1220 IH-35 South (Town Lake Watershed) from community commercial-mixed use (GR-MU) combining district zoning to limited industrial service-planned development area (LI-PDA) combining district zoning with

conditions. First reading approved on January 11, 2007. Vote: 7-0. Second Reading approved on December 6, 2007. Vote: 7-0. Applicant: Schuler Family Trust 1988 (John Schuler). Agent: Thrower Design (Ron Thrower). City Staff: Robert Heil, 974-2330. A valid petition has been filed in opposition to this rezoning request.

This item was postponed to January 10, 2008 at the staff's request.

85. C14-2007-0083 - Lamar/Manchaca Mixed Use - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2711-2715 S. Lamar Blvd.; 2803-2901 Manchaca Road; and 2806-3000 Del Curto (West Bouldin and Barton Creek Watersheds) from general commercial services-conditional overlay (CS-CO) combining district zoning; and family residence (SF-3) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning; townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning; and family residence-conditional overlay (SF-3-CO) combining district zoning to community commercial-conditional overlay (GR-CO) combining district zoning; family residence-conditional overlay (SF-3-CO) combining district zoning; and townhouse and condominium residence (SF-6) district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Various. Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Robert Heil, 974-2330. **Ordinance No. 20071213-085 for community commercial-conditional overlay (GR-CO) combining district zoning; townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning; and family residence-conditional overlay (SF-3-CO) combining district zoning was approved.**
86. C14-2007-0192 - Habibi's Hutch Day Care - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2006 Bert Avenue (West Bouldin Creek Watershed) from family residence (SF-3) district zoning to limited office-conditional overlay (LO-CO) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Belinda Campos-Calhoun. Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Robert Heil, 974-2330. **This item was postponed to January 10, 2008 at the applicant's request.**
87. C14-2007-0216 - South Manchaca Vertical Mixed Use (VMU) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying vertical mixed use (V) district zoning to Tracts 1-5, 7-11 and 13-20, located within the South Manchaca Neighborhood Planning Area, bounded by Ben White Boulevard on the north, South 1st Street on the east, West Stassney Lane on the south and Manchaca Road on the west (West Bouldin Creek Watershed). First reading approved on November 29, 2007. Vote: 7-0. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Wendy Rhoades, 974-7719. **Ordinance No. 20071213-087 to apply vertical mixed use (V) district zoning to Tracts 1-5, 7-11 and 13-20 was approved.**
88. C14-2007-0220 - Bouldin Creek Vertical Mixed Use (VMU) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying a vertical mixed use (V) district zoning to Tracts 1-128 and 131-150 in the Bouldin Creek Neighborhood Planning Area, bounded by Lady Bird Lake on the north, South Congress Avenue on the east, West Oltorf Street on the south and the Union Pacific Railroad tracks on the west (Town Lake, West Bouldin Creek and East Bouldin Creek Watersheds). First reading approved on November 29, 2007. Vote: 7-0. Applicant and Agent: Neighborhood Planning and Zoning Department, 974-7719. City Staff: Melissa Laursen, 974-7226. **Ordinance No. 20071213-088 to apply vertical mixed use (V) district zoning to Tracts 1-128 and 131-150 was approved.**

89. C14-2007-0224 - Greater South River City Vertical Mixed Use (VMU) - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by applying a vertical mixed use (V) district to Tracts 302-322; Tracts 324-326; and Tract 328, located within the Greater South River City Neighborhood Planning Area, bounded by Lady Bird Lake on the north, the IH-35 Service Road Southbound on the east, Ben White Boulevard on the south, and South Congress Avenue on the west (Town Lake, Harper's Branch and Bull Creek Watersheds). First reading approved on November 29, 2007. Vote: 7-0. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Andrew Holubeck, 974-2054.
Ordinance No. 20071213-089 to apply a vertical mixed use (V) district to Tracts 302-322; Tracts 324-326; and Tract 328 was approved. Action on Tract 323 was postponed to January 10, 2008 at the staff's request.
90. C14-02007-0195 - Delta Delta Delta Sorority House - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 503 West 27th Street (Shoal Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant and Agent: Theta Zeta House Corporation (Leanne Heldenfels). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-090 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.
91. C14-2007-0110 - Sigma Chi Fraternity - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2701 Nueces Street (Waller Creek Watershed) from multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Alpha Nu Chapter of Sigma Chi (Linden Welsh). Agent: Aynesworth Project Management (Tim Aynesworth). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-091 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.
92. C14-2007-0113 - Tejas - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2600 Rio Grande Street (Shoal Creek Watershed) from multi-family residence-limited density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Tejas Foundation (Douglas Batson). Agent: Bankers Capital Corporation (Douglas Batson). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-092 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.
93. C14-2007-0117 - Alpha Chi Omega Sorority - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2420 Nueces Street (Waller Creek Watershed) from multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Alpha Chi Omega House Corporation (Deborah Rosenquest). Agent: Dell Incorporated (Welsch Leslie). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-093 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.

94. C14-2007-0118 - Beta Alpha Chapter of Alpha Xi Delta Sorority - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2508 Rio Grande Street (Shoal Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning and multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Alpha Xi Delta Building Corporation (Christina Lynch). Agent: Beta Alpha Chapter of Alpha Xi Delta (Christina Lynch). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-094 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.
95. C14-2007-0119 - Texas Alpha House - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2300 San Antonio Street (Waller Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Texas Alpha House Corporation of Pi Beta Phi (Betty Knight). Agent: Brown McCarroll, LLP (Andrew Martin). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-095 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.
96. C14-2007-0128 - Sigma Alpha Epsilon Texas Rho Fraternity - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2414 Pearl Street (Shoal Creek Watershed) from multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Sigma Alpha Epsilon Alumni Association of Austin (Jody Lane); Sigma Alpha Epsilon Texas Rho House. Agent: Reynolds + Franke, PC (Steve Franke). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-096 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.
97. C14-2007-0132 - Kappa Alpha Theta Sorority - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2401 Pearl Street (Shoal Creek Watershed) from multi-family residence-moderate-high density-neighborhood plan(MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning. First reading approved on December 6, 2007. Vote: 7-0. Applicant: Kappa Alpha Theta Facility Board (Karla Wagner). Agent: Meredith Landry. City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-097 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.
98. C14-2007-0142 - Omega Building Company - Approve second/third readings of an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2500 Rio Grande Street (Waller Creek Watershed) from multi-family residence-moderate high density-neighborhood plan (MF-4-NP) combining district zoning to multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning First reading approved on December 6, 2007. Vote: 7-0. Applicant and Agent: Omega Building Company of Austin (Sandra W. Hauser). City Staff: Jorge E. Rousselin, 974-2975.

Ordinance No. 20071213-098 for multi-family residence-moderate high density-conditional overlay-neighborhood plan (MF-4-CO-NP) combining district zoning was approved.

ZONING CONSENT ITEMS

The following zoning items were acted on by one motion. No separate discussion or action occurred on any of the items. The public hearings were closed and consent items were approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 6-0 vote. Council Member McCracken was off the dais.

99. NPA-2007-0009.01 - Central East Austin NPA McMansion Ordinance Amendment - Conduct a public hearing and approve an ordinance amending Ordinance No. 011213-41, the Central East Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to modify the maximum square footage and maximum floor-to-area-ratio (FAR) permitted in the plan area to 0.4 floor-to-area-ratio (FAR) for development subject to the City's Land Development Code, Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards (the new "Residential Standards," also referred to as the "McMansion Ordinance"). Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on December 11, 2007. Applicant & Agent: Neighborhood Planning and Zoning Department, on behalf of the Central East Austin Neighborhood Plan Contact Team. City Staff: Katie Halloran, 974-3509.
This item was postponed to January 17, 2008 at the staff's request.
100. C14-01-0148.005 - Central East Austin NPA McMansion Ordinance Amendment - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code to modify the maximum square footage and maximum floor-to-area-ratio (FAR) permitted in the plan area to 0.4 floor-to-area-ratio (FAR) for development subject to the City's Land Development Code, Chapter 25-2, Subchapter F: Residential Design and Compatibility Standards (the new "Residential Standards, " also referred to as the "McMansion Ordinance"). Staff Recommendation: Pending. Planning Commission Recommendation: To be reviewed on December 11, 2007. Applicant and Agent: Neighborhood Planning and Zoning Department. City Staff: Katie Halloran, 974-3509.
This item was postponed to January 17, 2008 at the staff's request.
101. C14-2007-0108 - Camden North Lamar - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5300, 5304 and 5400 North Lamar Boulevard (Waller Creek Watershed) from general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to permit vertical mixed use on the site. Staff Recommendation: To grant general commercial services-mixed use-conditional overlay-neighborhood plan (CS-MU-CO-NP) combining district zoning to permit vertical mixed use on the site. Planning Commission Recommendation: To be reviewed on January 15, 2008. Applicant: 5400 Lamar Ltd. (Abe Zimmerman). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to January 31, 2008 at the applicant's request.
102. C14-2007-0211 - Clear Water - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 5701-5725 Diehl Trail (Walnut Creek Watershed) from general office-mixed use-conditional overlay (GO-MU-CO) combining district zoning to multi-family residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Zoning and Platting Commission Recommendation: To be reviewed on December 18,

2007. Applicant: Milwood Land Acquisition, LP (Wayne Harris). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Sherri Sirwaitis, 974-3057.

This item was postponed to January 10, 2008 at the staff's request.

103. C814-2007-0163 - The Venue at Lake Travis - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6710 North FM 620 Road (Lake Travis Watershed) from unzoned land, interim-single-family residence (I-SF-2) district zoning and development reserve (DR) district zoning to planned unit development (PUD) district zoning. Staff Recommendation: To deny planned unit development (PUD) district zoning. Zoning and Platting Commission Recommendation: To be reviewed on January 8, 2008. Applicant: MCPMT Ltd. (Richard Burratti); Joseph Trustees and The Jomar Joseph Partners Ltd. (John M. Joseph); Thomas W. Schulze, Attorney in fact (Daphene Clark). Agent: Clark, Thomas and Winters, P.C. (Kelly Cannon). City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to January 31, 2008 at the staff's request.
104. C14-2007-0168 - Speedy Stop - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6111 FM 2244 (Eanes Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to community commercial-conditional overlay (GR-CO) combining district zoning. Staff Recommendation: to grant community commercial-conditional overlay (GR-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community commercial-conditional overlay (GR-CO) combining district zoning. Applicant: Trustee of the Esue Trust (Sanford Sandelman). Agent: Norma Raven. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for community commercial-conditional overlay (GR-CO) combining district zoning was approved.
105. C14-2007-0182 - Lower Agave Heights - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6031 Moonglow (Walnut Creek Watershed) from single-family residence-standard lot (SF-2) district zoning to single-family residence-small lot (SF-4A) district zoning. Staff Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Zoning and Platting Commission Recommendation: To grant single-family residence-small lot (SF-4A) district zoning. Applicant: Mattie Matthaei. Agent: A.J. Ghaddar. City Staff: Robert Heil, 974-2330.
The first reading of the ordinance for single-family residence-small lot (SF-4A) district zoning was approved.
106. C14-2007-0213 - Pearce Road - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 3900 Pearce Road (Hog Pen Creek and Lake Austin Watersheds) from development reserve (DR) district zoning to rural residence (RR) district zoning. Staff Recommendation: To grant rural residence (RR) district zoning. Planning Commission Recommendation: To grant rural residence (RR) district zoning. Applicant: Luxor Custom Homes (Nora Killinger and Blair Drenner). Agent: Luxor Custom Homes (Nora Killinger). City Staff: Jorge E. Rousselin, 974-2975.
Ordinance No. 20071213-106 for rural residence (RR) district zoning was approved.
107. C14-2007-0215 - Lakeline Riviera Zoning - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 2920 1/2 South Lakeline Boulevard (Buttercup Creek Watershed) from multi-family residence-medium density (MF-3) district zoning to community commercial-mixed use (GR-MU) combining district zoning. Staff Recommendation: To grant community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Zoning and Platting Commission Recommendation: To grant community

commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning. Applicant: 2W Homestead, LP (Thomas J. Wolf, Jr.) Agent: Thrower Design (Ron Thrower). City Staff: Sherri Sirwaitis, 974-3057.

Ordinance No. 20071213-107 for community commercial-mixed use-conditional overlay (GR-MU-CO) combining district zoning was approved.

108. C14-2007-0092 - 21C - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 300 San Jacinto Blvd. (Town Lake/Waller Creek Watersheds) from central business district (CBD) district zoning to central business district-central urban redevelopment (CBD-CURE) combining district zoning. Staff Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning with conditions. Planning Commission Recommendation: To grant central business district-central urban redevelopment-conditional overlay (CBD-CURE-CO) combining district zoning with conditions. Applicant: Brazos REI POE (Matthew Hooks). Agent: Drenner & Golden Stuart Wolff, LLP (Michele Rogerson). City Staff: Jorge E. Rousselin, 974-2975.
This item was postponed to January 31, 2008 at the applicant's request.
109. C814-91-0001.05 - Little Texas PUD Revision #5 - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1003 and 1005 Little Texas Lane; and 6100 North IH-35 Service Road (Williamson Creek Watershed) from planned unit development-neighborhood plan (PUD-NP) combining district zoning to planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning. Staff Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning. Planning Commission Recommendation: To grant planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning. Applicant: PAD Investors 2000, Ltd. c/o The Gottesman Company (Robert J. Liverman). Agent: Armbrust & Brown, LLP (Amanda Morrow). City Staff: Wendy Rhoades, 974-7719.
Ordinance No. 20071213-109 for planned unit development-neighborhood plan (PUD-NP) combining district zoning to change a condition of zoning was approved.
110. NPA-2007.0015.03 - Asero Welding - Conduct a public hearing and approve an ordinance to amend Ordinance 021107-Z-11, the East MLK Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the Future Land Use Map from mixed use to industrial, and a text amendment to allow light manufacturing use for the property located at 6121 FM 969 (Walnut Creek Watershed). Staff Recommendation: To approve industrial land use designation and a text amendment to allow light manufacturing use. Planning Commission Recommendation: To approve industrial land use designation and a text amendment to allow light manufacturing use. Applicant: Asero Holding Company. Agents: David Holt and Christopher Benjamin. City Staff: Paul DiGiuseppe, 974-2865.
Ordinance No. 20071213-110 changing the land use designation on the future land use map (FLUM) to industrial and approving a text amendment to allow light manufacturing use was approved.
111. C14-2007-0134 - Asero Welding - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 6121 FM 969 (Walnut Creek Watershed) from general commercial services-neighborhood plan (CS-NP) combining district zoning to limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Staff Recommendation: To grant limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Planning Commission Recommendation: To grant limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning. Applicant: Asero Holding Company. Agents: David Holt and Christopher Benjamin. City Staff: Robert Heil, 974-2330.

Ordinance No. 20071213-111 for limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning was approved.

112. NPA-2007-0014.01 - Felter Investments - Conduct a public hearing and approve an ordinance amending Ordinance No. 021010-11, the Southeast Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designations on the future land use map (FLUM) to relocate the open space and industry designations for property located at 7910 Burleson Road (Onion Creek Watershed). Staff Recommendation: To approve industry and open space land use designations. Planning Commission Recommendation: To approve open space and industry land use designations. Applicant: Felter Investments, Ltd. Agent: Brenda Horton. City Staff: Gregory Montes, 974-2629.

Ordinance No. 20071213-112 changing the land use designation on the future land use map (FLUM) to relocate the open space and industry designations for 7910 Burleson Road was approved.

113. C14-2007-0152 - Felter Investments - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 7910 Burleson Road (Onion Creek Watershed) from rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning; industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning; and industrial park-neighborhood plan (IP-NP) combining district zoning to rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning for Tract 1, and limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning for Tract 2. Staff Recommendation: To grant rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning for Tract 1, and limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning for Tract 2. Planning Commission Recommendation: To grant rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning for Tract 1, and limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning for Tract 2. Applicant: Felter Interests, Ltd. Agent: Brenda Horton. City Staff: Wendy Rhoades, 974-7719.

Ordinance No. 20071213-113 for rural residence-conditional overlay-neighborhood plan (RR-CO-NP) combining district zoning for Tract 1 and limited industrial service-conditional overlay-neighborhood plan (LI-CO-NP) combining district zoning for Tract 2 was approved.

116. NPA-2007-0006.01 - Baylor Condominiums and the Castle - Conduct a public hearing and approve an ordinance amending Ordinance 000629-105, the Old West Austin Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, by amending the text of the plan to allow a rezoning for the properties located at 1008 Baylor Street and 1111 West 11th Street (Town Lake Watershed). Staff Recommendation: To approve the text amendment to allow a rezoning. Planning Commission Recommendation: To approve the text amendment to allow for a rezoning. Applicant: Rook Noll LLC. (Victor Ayad & Dick Clark). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Kathleen Fox, 974-7877.

Ordinance No. 20071213-116 amending the text to allow for a rezoning was approved with additional text as follows “No zoning changes to a more permissive zoning category should be permitted with the exception of 1008 Bell Street and 1111 West 11th Street due to consideration of conditions that insure comparability with a residential character of the core.”

117. C14-2007-0201 - Baylor Condos and The Castle on West 11th Street - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1008 Baylor Street and 1111 West 11th Street (Town Lake Watershed) from multi-family residence-moderate-high density-neighborhood plan (MF-4-NP) combining district zoning; family residence-historic-neighborhood plan (SF-3-H-NP) combining district zoning; and limited office-historic-neighborhood plan (LO-H-NP) combining district zoning to multi-family residence-high density-

neighborhood plan (MF-5-NP) combining district zoning for Tract 1 and limited office-mixed use-historic-neighborhood plan (LO-MU-H-NP) combining district zoning for Tract 2. Staff Recommendation: To grant multi-family residence-high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning for Tract 1; and limited office-mixed use-conditional overlay-historic-neighborhood plan (LO-MU-CO-H-NP) combining district zoning for Tract 2. Planning Commission Recommendation: To grant multi-family residence-high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning for Tract 1; and limited office-mixed use-conditional overlay-historic-neighborhood plan (LO-MU-CO-H-NP) combining district zoning for Tract 2. Applicant: RookNoll LLC (Victor Ayad and Dick Clark). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Jorge Rousselin, 974-2975.

Ordinance No. 20071213-117 for multi-family residence-high density-conditional overlay-neighborhood plan (MF-5-CO-NP) combining district zoning for Tract 1; and limited office-mixed use-conditional overlay-historic-neighborhood plan (LO-MU-CO-H-NP) combining district zoning for Tract 2 was approved.

118. C14-2007-0164 - Seaholm Power Plant Development - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 800 West Cesar Chavez Street (Shoal Creek and Town Lake Watersheds) from unzoned right-of-way and public (P) district zoning to downtown mixed use-central urban redevelopment (DMU-CURE) combining district zoning. Staff Recommendation: To grant downtown mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning. Planning Commission Recommendation: To grant downtown mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning. Applicant: City of Austin (Gary Glover). Agent: Neighborhood Planning and Zoning Department. City Staff: Jorge E. Rousselin, 974-2975.

The first reading of the ordinance for downtown mixed use-central urban redevelopment-conditional overlay (DMU-CURE-CO) combining district zoning was approved.

119. C14-2007-0129 Cumberland Residential - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1001 Cumberland Road (West Bouldin Creek Watershed) from multi-family residence-limited density (MF-1) district zoning and multi-family residence-limited density-conditional overlay (MF-1-CO) combining district zoning to townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Staff Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Planning Commission Recommendation: To grant townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning. Applicant: Salvation Army (Major Stephen Ellis). Agent: Alice Glasco Consulting (Alice Glasco). City Staff: Robert Heil, 974-2330.

The first reading of the ordinance for townhouse and condominium residence-conditional overlay (SF-6-CO) combining district zoning was approved with direction to staff and the City Manager to determine how the offer from the developer to commit \$50,000 in his development budget to allow for traffic calming in front of that particular property could be done.

120. C14-2007-0185 - Braker Lane Center - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 900 East Braker Lane (Walnut Creek Watershed) from community commercial (GR) district zoning to commercial-liquor sales (CS-1) district zoning. Staff Recommendation: To deny commercial-liquor sales (CS-1) district zoning. Zoning and Platting Commission Recommendation: To deny commercial-liquor sales (CS-1) district zoning. Applicant: Walnut Ridge Shopping Center (Thomas C. Calhoun). Agent: DAVCAR Engineering (Jim Herbert). City Staff: Sherri Sirwaitis, 974-3057.

This item was withdrawn.

122. NPA-2007-0016.02 - The Govalle Land - Conduct a public hearing and approve an ordinance amending Ordinance No. 030327-12, the Govalle/Johnston Terrace Combined Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from single-family to multi-family for property located on a portion (0.775 AC) of 1.97 AC of OLT 44 Division A - Tract 1 (known locally as 1100 Linden St.); and from multi-family to single-family on a portion of (0.865 acres) of 1.41 AC OLT 43 Division A - Tract 2 (known locally as 1100 Linden St.)(Boggy Creek Watershed). Staff Recommendation: To recommend multi-family designation for Tracts 1 and 2. Planning Commission Recommendation: to be reviewed on December 11, 2007. Applicant and Agent: Govalle/Johnston Terrace Neighborhood Planning Team and Michael Casias with Govalle Partners, Ltd. City Staff: Kathleen Fox, 974-7877.
This item was postponed to January 31, 2008 at the staff's request.
123. C14-2007-0146.SH - The Govalle Land - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 1100 Linden Street (Boggy Creek Watershed) from family residence-neighborhood plan (SF-3-NP) combining district zoning; and multi-family residence-medium density (MF-3-NP) combining district zoning to single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning; and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Staff Recommendation: To grant single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning; and multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning. Planning Commission Recommendation: To be reviewed on December 11, 2007. Applicant: Govalle Partners Ltd. Agent: Michael Casias. City Staff: Robert Heil, 974-2330.
This item was postponed to January 31, 2008 at the staff's request.

ZONING DISCUSSION ITEMS

114. NPA-2007-0005.01 - Jockey Tract - Conduct a public hearing and approve an ordinance amending Ordinance No. 010927-05, the Montopolis Neighborhood Plan, an element of the Austin Tomorrow Comprehensive Plan, to change the land use designation on the future land use map (FLUM) from commercial and mixed residential to industry for the property located at 912 Bastrop Hwy (Carson Creek Watershed). Staff Recommendation: To approve industrial land use designation. Planning Commission Recommendation: To grant industrial land use designation. Applicant: Montopolis Neighborhood Contact Team. Agent: William "Bill" Faust. City Staff: Victoria Craig, 974-2857.
The public hearing was closed and the first reading of the ordinance changing the land use designation to industrial land use on the future land use map was approved on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 6-0 vote. Council Member McCracken was off the dais.
115. C14-2007-0186 - Jockey Tract - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 912 Bastrop Hwy (Carson Creek Watershed) from townhouse and condominium residence-neighborhood plan (SF-6-NP) combining district zoning; multi-family residence-medium density-neighborhood plan (MF-3-NP) combining district zoning; general commercial services-conditional overlay-neighborhood plan (CS-CO-NP) combining district zoning; and single-family residence-small lot-neighborhood plan (SF-4A-NP) combining district zoning to industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning. Staff Recommendation: To grant industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning. Planning Commission Recommendation: To grant industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning. Agent: William "Bill" Faust. City Staff: Robert Heil, 974-2330.
The public hearing was closed and the first reading of the ordinance for industrial park-conditional overlay-neighborhood plan (IP-CO-NP) combining district zoning was approved with the following

prohibited uses on Mayor Pro Tem Dunkerley's motion, Council Member Cole's second on a 6-0 vote. Council Member McCracken was off the dais. The prohibited uses are 1) Limit the total daily vehicle trips to less than 2,000 trips; 2) Permanently close Anise Drive where it dead ends into the property; 3) Require a 50 foot vegetative buffer along the southwest property line; 4) Require a fence between the 50 foot buffer and the remainder of the property; and 5) Require that no doors except for emergency exit doors and fire doors will back up to Riverside Meadows, Section One subdivision (this provision may be included in a public restrictive covenant instead of a conditional overlay).

121. C14-2007-0218 - 620/183 Limited Partnership - Conduct a public hearing and approve an ordinance amending Chapter 25-2 of the Austin City Code by rezoning property locally known as 10700-10704 Lakeline Mall Drive (Lake Creek Watershed) from community commercial-mixed use (GR-MU) combining district zoning to multi-family residence-moderate-high density (MF-4) district zoning. Staff Recommendation: To grant multi-family residence-moderate-high density (MF-4) district zoning. Zoning and Platting Commission Recommendation: To grant multi-family residence-moderate-high density-conditional overlay (MF-4-CO) combining district zoning. Applicant: 620/183 Limited Partnership (Fred Thomas). Agent: Smith, Robertson, Elliott, Glen, Klein & Bell, LLP (David Hartman). City Staff: Sherri Sirwaitis, 974-3057.

The public hearing was closed and the first reading of the ordinance for multi-family residence-moderate-high density (MF-4) district zoning was approved on Council Member Leffingwell's motion, Council Member Martinez' second on a 6-0 vote. Council Member McCracken was off the dais.

PUBLIC HEARINGS CONTINUED

125. Conduct a public hearing and approve an ordinance amending Exhibit A of Ordinance No. 20070910-008, the Electric Rate Schedule GreenChoice(r) Energy Rider, to add a Batch-5 Green Power Charge for renewable energy sources. Recommended by the Resource Management Commission and the Electric Utility Commission.

The public hearing was closed and Ordinance No. 20071213-125 was approved on Mayor Pro Tem Dunkerley's motion, Council Member Leffingwell's second on a 6-0 vote. Council Member McCracken was off the dais.

126. Conduct a public hearing and consider an appeal by Steven Nacamuli of a decision by the Residential Design and Compatibility Commission denying a modification request for a proposed single family residence located at 2006 Hopi Trail to increase the floor-to-area ratio by 25 percent and to increase the side wall length before articulation is required to 61 feet. Modification request denied by the Residential Design and Compatibility Commission.

The public hearing was closed and the motion to deny the appeal was approved on Council Member Kim's motion, Council Member Cole's second on a 6-0 vote. Council Member McCracken was off the dais.

127. Conduct a public hearing and consider adoption of an ordinance granting floodplain variances requested by Mr. Matt McCormack on behalf of Mr. James and Ms. Elizabeth Chipman to allow construction of a single-family residence at 5607 Jim Hogg Avenue in the 25-year and 100-year floodplains of the Hancock Branch of Shoal Creek and to waive the requirement to dedicate a drainage easement to the full limit of the 100-year floodplain to exclude the footprint of the proposed structure.

The public hearing was closed and Ordinance No. 20071213-127 was approved on Council Member Leffingwell's motion, Mayor Pro Tem Dunkerley's second on a 6-0 vote. Council Member McCracken was off the dais.

Mayor Wynn adjourned the meeting at 8:01 p.m. without objection.

The minutes for the Regular Meeting of December 13, 2007 were approved on this the 10th day of January 2008 on Council Member Kim's motion, Council Member McCracken's second on a 7-0 vote.